

News from the FPPC



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District Judge Rules in Favor of Commission and other Defendants in Case Related to Proposition 8

After hearing arguments today from both sides of a lawsuit challenging provisions of the Political Reform Act ("Act"), District Judge Morrison C. England, Jr. ruled from the bench in favor of the Defendants, including the Commission, Attorney General, Secretary of State and various district and city attorneys.

Plaintiffs ProtectMarriage.com – Yes on 8, a Project of California Renewal and National Organization for Marriage challenged the Act's campaign disclosure requirements for contributions to ballot measure committees. They argued that individual donors in support of Proposition 8, which was on the November 2008 ballot, should be treated the same as members of groups such as the NAACP in the 1960's and be exempt from disclosure requirements.

Plaintiffs' arguments attacking the Act's disclosure laws that exist to serve and inform the People of the State of California were ultimately too weak to overcome this State's important interest in, as Judge England stated, instilling sunshine into the initiative process. They sought to permanently enjoin the future disclosure of all of plaintiffs', and groups like plaintiffs, contributors, expunge the records of all of plaintiffs' past contributors, and to invalidate as unconstitutional the Act's \$100 disclosure threshold for contributors to ballot measure committees, among other things.

The Commission vigorously and successfully defended all of the Act's challenged provisions. The Judge's decision denying plaintiffs' motion for summary judgment and granting the Defendants' cross motion on all counts will be followed up with a written order.

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